

Remarks

Applicant respectfully traverses the § 102(a) rejection of claims 16-18 because the Office Action implicitly indicates their allowability as the Examiner fails to address these claims in the instant Office Action. Specifically, the Examiner erroneously asserts that apparatus claims 16-18 are method claims and also fails to provide any assertion of correspondence to the limitations of claims 16-18 and the cited references. Applicant submits that the '612 reference does not teach aspects of claims 16-18 directed to a first switch that provides power to an inductor and as such, claims 16-18 should be indicated as allowable. Accordingly, the finality of the instant Office Action is improper and must be withdrawn.

The instant Office Action dated May 29, 2009 listed the following new grounds of rejection: claims 1 and 5-18 stand rejected under U.S.C. § 102(a) over Rozsypal (U.S. Patent No. 6,426,612); and claim 2 stands rejected under U.S.C. § 103(a) over the '612 reference in view of Irvine (U.S. Patent No. 6,225,859); and claims 3-4 stand rejected under U.S.C. § 103(a) over the '612 reference in view of Schneiderman (U.S. Patent No. 4,301,801). Applicant traverses all of the rejections.

Applicant respectfully traverses the § 102(a) and § 103(a) rejections because the '612 reference does not correspond to the claimed invention. Notwithstanding, in an effort to facilitate prosecution, Applicant has amended claims 1 and 10 to include aspects directed to a switch (*see, e.g.*, element 2 of Applicant's Figure 2) that provides the energy from a power supply to an inductor. Applicant notes that these aspects were originally present in claims 10 and 16. The '612 reference does not teach that there is any switch coupled between V_{batt} (*i.e.*, the asserted power supply) and inductor 16 (*i.e.*, the asserted inductor) that provides energy from V_{batt} to inductor 16. Thus, the '612 reference does not correspond to the claimed invention. Applicant submits that the addition of the '859 and '801 references does not address the above discussed deficiencies of the '612 reference. As such, the Examiner's proposed combinations do not correspond to the claimed invention. Accordingly, the § 102(a) and § 103(a) rejections are improper and Applicant requests that they be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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